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FILED

DEC - 6 2011

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SALINAS DIVISION

UNITED STATES OF AMERICA,) Criminal No.: CR11-00511-MAG
Plaintiff,)
vs.) STIPULATION AND ORDER
ROBERT DONALD FLORES,) EXCLUDING TIME
Defendant.)

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On December 5, 2011, the parties in this case appeared before the Court. The parties jointly requested that the case be continued to February 6, 2012 at 9:00 a.m. for a status conference. In addition, the parties request an exclusion of time under the Speedy Trial Act, from December 5, 2011 to February 6, 2012 at 9:00 a.m. The parties agree and stipulate that an exclusion of time is appropriate for potential disposition.

1 SO STIPULATED:

MELINDA HAAG
United States Attorney

3 DATED: Dec 7, 2011

4 /S/
AUTUMN R. PORTER
5 Special Assistant United States Attorney

6 DATED: Dec 8, 2011

7 /S/
MANNY ARAUJO
8 Counsel for ROBERT DONALD FLORES

10 ORDER

11 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded
12 under the Speedy Trial Act from December 5, 2011 to February 6, 2012. The Court finds, based
13 on the aforementioned reasons, that the ends of justice are served by granting the requested
14 continuance and outweigh the best interest of the public and the defendant in a speedy trial. The
15 failure to grant the requested continuance would deny defense counsel reasonable time necessary
16 for effective preparation, taking into account the exercise of due diligence, and would result in a
17 miscarriage of justice. The Court therefore concludes that this exclusion of time should be made
18 under 18 U.S.C. §3161(h)(8)(A) and (B)(iv).

19 IT IS SO ORDERED.

20 DATED: 12/8/11

21 HOWARD R. LLOYD
22 United States Magistrate Judge